

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DENNIS SUMLIN, on behalf of himself
and all others similarly situated,
Plaintiff,

-v-

CHOP'T CREATIVE SALAD
COMPANY, LLC,
Defendant.

25-CV-2149 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Counsel for all parties are directed to appear telephonically for an initial pretrial conference with the Court on July 1, 2025 at 3:00 p.m. Counsel should call (855) 244-8681 at the scheduled time. The attendee ID number is 23128287066. Counsel who appear at the pretrial conference must be authorized to negotiate terms of settlement. Members of the public may join but are instructed to place their phones on mute.

Counsel are directed to confer with each other prior to the conference regarding settlement and each of the other subjects to be considered at a Fed. R. Civ. P. 16 conference. Counsel are further directed to use the Court's Civil Case Management Plan and Scheduling Order form (the "Form") to jointly prepare a detailed written proposed schedule for any motions and discovery. Counsel should type entries into this Form using a copy of the Form available at <https://nysd.uscourts.gov/hon-j-paul-oetken>. **The parties shall submit a copy of the completed Form by filing on ECF at least three business days prior to the date of the conference.** A copy of the proposed case management plan should also be emailed to chambers at OetkenNYSDchambers@nysd.uscourts.gov.

If the parties agree to have all proceedings conducted by the designated magistrate judge, then they need **not** complete the Form, but must complete and sign the “Consent to Magistrate Judge” form—available at <https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf>—and submit it to Judge Oetken’s chambers at least **one week before** the conference. In the event of such consent, the parties will retain their rights to appeal, but any appeal will go directly to the United States Court of Appeals for the Second Circuit.

If the parties agree on all deadlines and have no issues to address at the initial conference, the Court may adjourn the conference.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is filed on ECF prior to the date of the conference.

All conferences with the Court are scheduled for a specific time; there is no other matter scheduled for that time. Counsel are directed to appear promptly.

Requests for adjournment may be made only in a writing received not later than two business days before the conference. The written submission must (a) specify the reasons for the adjournment, (b) state whether the other parties have consented, and (c) indicate times and dates when all counsel are available. Unless counsel are notified that the conference has been adjourned, it will be held as scheduled.

If opposing counsel has not filed an appearance on ECF, appearing counsel shall serve a copy of this order on opposing counsel within seven days.

SO ORDERED.

Dated: March 17, 2025
New York, New York


J. PAUL OETKEN
United States District Judge